

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 13, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning the Senate will immediately resume consideration of the farm bill and conduct a period of debate until 9:15. This debate time is equally divided between the leaders or their designees.

At 9:15 the Senate will conduct two back-to-back rollcall votes. The first vote will be in relation to the Dorgan-Grassley payment limitations amendment. That amendment is subject to a 60-vote threshold.

The second vote will be a cloture vote on the motion to concur to an amendment to H.R. 6, the Energy bill.

Mr. President, we will continue with other amendments and votes with respect to the farm bill today, so Members can expect other votes.

I would remind all Members that we will likely be in recess from 2 to 3 p.m. because Admiral McConnell and Attorney General Mukasey will conduct a secret briefing in room 407. This is prefatory to the debate that will take place soon on the FISA bill.

We are going to do our very best to finish the farm bill today. We have 23 amendments left on the farm bill. We have a lot to do. We are going to do everything we can do so that we do not have to be in session this weekend. It will take cooperation from Members because there are a number of issues that we have to deal with.

We are going to try to finish the farm bill and the Energy bill today. We have a lot of other things to do today. Hopefully, we can get agreement.

I would also say this to all Senators: We are past the point where you can just have your staff call the cloakroom and say: I have a Senator who objects. If somebody wants to object, we are not going to take cloakroom calls during these last few days of the session. We are not going to accept that.

RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2419, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs for fiscal year 2012, and for other purposes.

Pending:

Harkin amendment No. 3500, in the nature of a substitute.

Harkin (for Dorgan/Grassley) modified amendment No. 3695 (to amendment No. 3500), to strengthen payment limitations and direct the savings to increase funding for certain programs.

Brown amendment No. 3819 (to Amendment No. 3500), to increase funding for critical farm bill programs and improve crop insurance.

Klobuchar amendment No. 3810 (to amendment No. 3500), to improve the adjusted gross income limitation and use the savings to provide additional funding for certain programs and reduce the Federal deficit.

Chambliss (for Cornyn) amendment No. 3687 (to amendment No. 3500), to prevent duplicative payments for agricultural disaster assistance already covered by the Agricultural Disaster Relief Trust Fund.

Chambliss (for Coburn) modified amendment No. 3807 (to amendment No. 3500), to ensure the priority of the farm bill remains farmers by eliminating wasteful Department of Agriculture spending on golf courses, junkets, cheese centers, and aging barns.

Chambliss (for Coburn) amendment No. 3530 (to amendment No. 3500), to limit the distribution to deceased individuals, and estates of those individuals, of certain agricultural payments.

Salazar amendment No. 3616 (to amendment No. 3500), to amend the Internal Revenue Code of 1986 to provide incentives for the production of all cellulosic biofuels.

Thune (for McConnell) amendment No. 3821 (to amendment No. 3500), to promote the nutritional health of school children, with an offset.

Craig amendment No. 3640 (to amendment No. 3500), to prohibit the involuntary acquisition of farmland and grazing land by Federal, State, and local governments for parks, open space, or similar purposes.

Thune (for Roberts/Brownback) amendment No. 3549 (to amendment No. 3500), to modify a provision relating to regulations.

Domenici amendment No. 3614 (to amendment No. 3500), to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources.

Thune (for Gregg) amendment No. 3674 (to amendment No. 3500), to amend the Internal Revenue Code of 1986 to exclude charges of indebtedness on principal residences from gross income.

Thune (for Gregg) amendment No. 3822 (to amendment No. 3500), to provide nearly \$1,000,000,000 in critical home heating assistance to low-income families and senior citizens for the 2007-2008 winter season, and reduce the Federal deficit by eliminating wasteful farm subsidies.

Thune (for Grassley/Kohl) amendment No. 3823 (to amendment No. 3500), to provide for the review of agricultural mergers and acquisitions by the Department of Justice.

Thune (for Stevens) amendment No. 3569 (to amendment No. 3500), to make commercial fishermen eligible for certain operating loans.

Thune (for Bond) amendment No. 3771 (to amendment No. 3500), to amend title 7, United States Code, to include provisions relating to rulemaking.

Tester amendment No. 3666 (to amendment No. 3500), to modify the provision relating to unlawful practices under the Packers and Stockyards Act.

Schumer amendment No. 3720 (to amendment No. 3500), to improve crop insurance and use resulting savings to increase funding for certain conservation programs.

Sanders amendment No. 3826 (to amendment No. 3822), to provide for payments under subsections (a) through (e) of section 2604 of the Low-Income Home Energy Assistance Act of 1981, and restore supplemental agricultural disaster assistance from the Agricultural Disaster Relief Trust Fund.

Wyden amendment No. 3736 (to amendment No. 3500), to modify a provision relating to bioenergy crop transition assistance.

Harkin/Kennedy amendment 3830 (to amendment No. 3500), relative to public safety officers.

Harkin/Murkowski amendment No. 3639 (to amendment No. 3500), to improve nutrition standards for foods and beverages sold in schools.

Harkin amendment No. 3844 (to amendment No. 3830), relative to public safety officers.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:15 a.m. shall be equally divided between the leaders or their designees and shall be for debate only.

Mr. REID. Mr. President, I designate 5 minutes to Senator BINGAMAN and 5 minutes to Senator CANTWELL, two Senators who have been instrumental in bringing this bill to where we are today on energy.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I thank the majority leader for yielding me 5 minutes to discuss this bill we are going to vote on, the cloture vote we are going to have in relation to the energy legislation a little later this morning.

One of the objections that has been raised to this legislation is that it still contains a so-called energy tax package. It is very different from what the House passed.

Senator BAUCUS has worked with Senator GRASSLEY to take out provisions that were objectionable to Members, particularly on the Republican side, but it is still a tax package.

Now, what does it do? What it does is extends the tax incentives and credits we put into law in 2005. Those are the tax incentives, the tax credit for the production of electricity from wind, biomass from our clean energy sources. It provides the extension of the solar energy investment tax credit. It provides an extension of residential solar credits to encourage people to use solar heating and energy generation in their own residences. It provides an extension of existing credits for biodiesel.

It creates a new credit for producing ethanol made from nonfood cellulosic material. It tries to extend into the future and expand upon the incentives we put into law in 2005 to encourage the